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| 09/601,737 | 08/07/2000 | JUHA RASANEN | PM271455 | 9623 |

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EXAMINER

NGUYEN, BRIAN D

| ART UNIT | PAPER NUMBER |
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2661

DATE MAILED: 05/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/601,737

Applicant(s)

RASANEN, JUHA

Examiner

Brian D Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 15-19, 21-23, 25-27 and 29 is/are rejected.
- 7) ☒ Claim(s) 9-14, 20, 24 and 28 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claims 5 and 14 is objected to because of the following informalities:

Claim 5, line 4, it is suggested to change "it subsegments" to ---its subsegments---.

Claim 14 should depend on claim 13 for proper dependency. Otherwise, "the subsegment" in line 2 lacks antecedent basis. The examiner assumes claim 14 depends on claim 13 for this office action.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2, 15-16, 21, 25, and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by Rotter et al (5,901,143).

Regarding claim 1 Rotter discloses a mobile communication system which comprises a mobile station (MS) and an interworking function (ENNET) for establishing a high-speed point to-point data connection to a data network access point, which supports a multilink point to-point protocol PPP, the point-to-point connection comprising a first subleg between the mobile station and the interworking function and a second multilink PPP subleg between the interworking function and the access point, wherein the mobile station comprises multilink PPP protocol means for establishing at least two PPP links (C1-CN) with the access point through the point-to-

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point connection, the first subleg comprises at least two PPP subchannels for transferring each of the at least two PPP links in a dedicated PPP subchannel, and the interworking function is arranged configured to adapt each PPP subchannel to the respective PPP link on the multilink PPP connection so that the PPP links are transferred transparently between the multilink protocol means of the mobile station and the access point (see abstract; figures 1-2; col. 2, lines 5-59; col. 3, lines 11-38).

Regarding claim 2, Rotter discloses the first subleg there is a physically separate traffic channel or traffic stream for each PPP link.

Regarding claims 15-16, claims 15-16 are mobile station claims for use in the system claims 1-2 and have substantially the same limitation as claimed in claims 1-2. Therefore, they are subject to the same rejection.

Regarding claim 21, claim 21 is an interworking function claim for use in the system claims 1 and have substantially the same limitation as claimed in claim 1. Therefore, it is subject to the same rejection.

Regarding claims 25 and 29, claims 25 and 29 are method claims that have substantially the same limitation as claimed in claim 1. Therefore, they are subject to the same rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 3-8, 17-19, 22-23, and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rotter (5,901,143) in view of Ahmadvand et al (6,542,490).

Regarding claims 3-8, Rotter does not specifically disclose common traffic channel and/or common or dedicated LAC protocol links. However, the use of common or dedicated traffic or control channels is well known in the art. Ahmadvand discloses either common or dedicated traffic or control channel can be used (see col. 8, lines 35-45). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use common and/or dedicated control or traffic channels as taught by Ahmadvand in the system of Rotter in order to meet specific needs.

Regarding claims 17-19, claims 17-19 are mobile station claims for use in the system claims 3-8 and have substantially the same limitation as claimed in claims 3-8. Therefore, they are subject to the same rejection.

Regarding claims 22-23, claims 22-23 are an interworking function claim for use in the system claims 3-8 and have substantially the same limitation as claimed in claims 3-8. Therefore, they are subject to the same rejection.

Regarding claims 26-27, claims 26-27 are method claims that have substantially the same limitation as claimed in claims 3-8. Therefore, they are subject to the same rejection.

Allowable Subject Matter

6. Claims 9-14, 20, 24, and 28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian D Nguyen whose telephone number is (703) 305-5133. The examiner can normally be reached on 7:30-6:00 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Olms can be reached on (703) 305-4703. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Brian Nguyen
4/30/04